

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK JACOBS

CIVIL COMPLAINT NUMBER: 19-CV-4616

V.

CITY OF PHILADELPHIA, et al.

**PLAINTIFF DERRICK JACOBS' MOTION TO STRIKE DEFENDANT'S TRACY
TRIPP'S REPLY MEMORANDUM IN SUPPORT OF HER MOTION FOR SUMMARY
JUDGMENT DATED JANUARY 23, 2024**

SUBMITTED BY:

DERRICK JACOBS

PLAINTIFF

PRO SE

PO BOX 1454

BERLIN, MD 21811

derrickjacobs9116@gmail.com



Derrick Jacobs

Plaintiff

Pro Se

Date: January 26, 2024

**PLAINTIFF DERRICK JACOBS' MOTION TO STRIKE DEFENDANT TRACY
TRIPP'S REPLY MEMORANDUM IN SUPPORT OF HER MOTION FOR SUMMARY
JUDGMENT DATED JANUARY 23, 2024**

A. FACTS IN SUPPORT OF MOTION TO STRIKE:

1. On December 12, 2023, the Court issued its Sixth Scheduling Order. The Order indicated all Motions for Summary Judgment filed on or before December 29, 2023.
2. The Plaintiff filed his Motion for Summary Judgment on December 29, 2023 (ECF 173).
3. The Defendants filed their Motions for Summary Judgment on December 29, 2023 (ECF 169 and 171).
4. On January 11, 2024, Defendant Tracy Tripp filed her Memorandum in Opposition of the Plaintiff's Motion for Summary Judgment (ECF 177).
5. On January 12, 2024, Defendants Wilson, Pace, and Hendershot filed their Memorandum in Opposition of the Plaintiff's Motion for Summary Judgment (ECF 178).
6. On January 12, 2024, the Plaintiff filed his Response to the Defendants' Motion for Summary Judgment (ECF 179).
7. On January 23, 2024, Defendant Tracy Tripp filed a Reply Memorandum in Support of her Motion for Summary Judgment (ECF 182) in response to plaintiff's response in opposition of the defendants' Motion for Summary Judgment (ECF 179).

B. JUDGE HARVEY BARTLE III GENERAL MOTIONS PRACTICE

Except as set forth herein, motion practice conducted in accordance with Local Civil Rule 7.1.

A reply brief, addressing arguments raised in the brief in opposition to the motion, may be filed and served by the moving party within seven (7) days after service of the brief in opposition to the motion unless the Court sets a different schedule.

No further briefs may be filed, and no extension of time will be granted without leave of the Court for good cause shown.

C. ARGUMENT

Defendant Tracy Tripp's motion is untimely and out of time. Defendant Tracy Tripp's motion violated the Local Rules of Civil Procedure ("LRCP") and the Court's Motions Practice. Since Defendant Tracy Tripp has violated both the LRCP and the Court's procedures and practices; Defendant Tracy Tripp's Reply Memorandum in Support of her Motion for Summary Judgment should be STRICKEN.

D. CONCLUSION

Based upon the above listed facts, the Plaintiff's Motion to Strike should be GRANTED.



Derrick Jacobs

Plaintiff

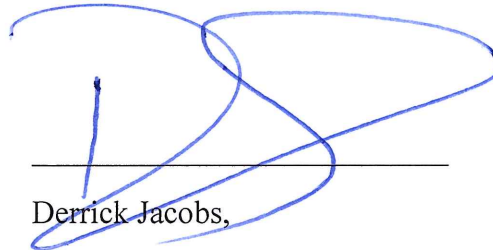
Pro Se

Date: January 26, 2024

CERTIFICATE OF SERVICE

I, Derrick Jacobs, Plaintiff within the above-captioned matter, hereby certify that a true and correct copy, according to the Federal Rules of Civil Procedure was sent via email/ECF upon the parties on the date shown below,

Date: 1/26/2024



Derrick Jacobs,

Plaintiff

Pro se